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PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

Application Number	10/522,510
Filing Date	September 17, 2005
First Named Inventor	Martin Gimmestad
Art Unit	1652
Examiner Name	Mohammad Meah
Attorney Docket Number	BAFM0001-100

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

**ENCLOSURES (check all that apply)**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s)<br>(please identify below):<br>Forms PTO SB/08a and SB/08b (2 pp.); (13)<br>References Cited, (12) References Enclosed. |
|---|--|--|

**Remarks****EXPRESS MAIL LABEL NO: EV882772685US****DATE OF DEPOSIT: September 20, 2006****EV882772685US****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Cozen O'Connor

Signature

Printed Name

Mark DeLuca

Date

September 20, 2006

Reg.  
No.

33,229

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: **Martin Gimmestad et al.**

Serial No.: 10/522,510

Group Art Unit: 1652

Filing Date: September 17, 2005

Examiner: Mohammad Meah

For: **NEW MUTANT STRAINS OF *PSEUDOMONAS FLUORESCENS* AND  
VARIANTS THEREOF, METHODS FOR THEIR PRODUCTION, AND USES  
THEREOF IN ALGINATE PRODUCTION**

**EXPRESS MAIL LABEL NO: EV882772685US**  
**DATE OF DEPOSIT: September 20, 2006**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §§ 1.56 and in accordance with 37 C.F.R. §§ 1.97 and 1.98, information relating to the above-identified application is hereby disclosed, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO Forms SB/08A and SB/08B, formerly known as PTO Form 1449, submitted herewith.

Inclusion of the information submitted herewith is not to be construed as an admission that the information is material as that term is defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

**This Information Disclosure Statement is being filed:**

- ☐ within three months of the filing date of the patent application.
- ☐ within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 of the international application.
- ☒ **before** the mailing date of a first Office Action on the merits.
- ☐ **after** the mailing date of a first Office Action on the merits, but before the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, and accordingly is accompanied by:



- ☐ the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below);
- or
- ☐ the Fee of \$180.00 set forth in 37 C.F.R. § 1.17(p); or
- ☐ No fee is owed by the applicant(s).
- ☐ In accordance with 37 C.F.R. § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below) and the fee of \$180.00 as set forth in 37 C.F.R. § 1.17(p), is attached.
- ☐ after the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, but before the payment of the Issue Fee, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e), (see "Statement," and "Fees" below).
- ☒ Copies of the references (excluding the U.S. Patent Document) listed on the attached PTO Forms SB/08a and SB/08b, formerly known as PTO Form 1449, are enclosed.

**EXCEPT THAT:**

- ☐ In view of the voluminous nature of reference @@@, and the likelihood that this reference is available to the Examiner, copies are not enclosed herewith.
- ☐ In accordance with 37 C.F.R. § 1.98(d), copies of the following references listed on the attached PTO Form SB/08A and PTO Form SB/08B, formerly known as PTO Form 1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application.
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

**Statement under 37 C.F.R. § 1.97(e)**

- ☐ The undersigned attorney hereby states that each item information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.

**Fees**

- ☒ No Fee is owed by the applicant(s).
- ☐ The Information Disclosure Statement Fee of \$180.00 under 37 C.F.R. § 1.17(p) is enclosed herewith.

**Method of Payment of Fees**

- ☐ Attached is a check in the amount of \$\_\_\_\_\_. This form is submitted in duplicate.
- ☐ Charge Deposit Account No. 50-1275 in the amount of \$180.00. This form is submitted in duplicate.
- ☒ Please charge any deficiency or credit any overpayment to Deposit Account 50-1275.
- ☒ No fee or Statement is required under 37 C.F.R. § 1.97(b) as no first Office Action on the merits has been received by the Applicants.

Respectfully submitted,



---

Mark DeLuca  
Registration No. 33,229

Dated: September 20, 2006  
COZEN O'CONNOR, P.C.  
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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

1 of 2

**Complete if Known**

Application Number	10/522,510
Filing Date	09-17-2005
First Named Inventor	Martin Gimmestad
Art Unit	1652
Examiner Name	Mohammad Meah
Attorney Docket Number	BAFM0001-100

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication/Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	AA	US-4,490,467	12-25-1984	Jarman et al.	
		US-			
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date/Filing Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
	AB	WO 94/09124	04-28-1994	Pronova Biopolymer		

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 2

**Complete if Known**

Application Number	10/522,510
Filing Date	09-17-2005
First Named Inventor	Martin Gimmestad
Art Unit	To Be Determined
Examiner Name	To Be Determined
Attorney Docket Number	BAFM0001-100

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
-	AC	CHITNIS CHAITANYA E. ET AL., "Cloning of pseudomonas aeruginosa algG, which controls alginate structure," <i>JOURNAL OF BACTERIOLOGY</i> , vol. 172, no. 6, 1990, pages 2894 - 2900.	
-	AD	FRANKLIN MICHAEL J. ET AL., "Mutant analysis and cellular localization at the AlgI, AlgJ and AlgF proteins required for O acetylation of alginate in pseudomonas aeruginosa," <i>JOURNAL OF BACTERIOLOGY</i> , vol. 184, no. 11, 2002, pages 3000 - 30.	
-	AE	GIMMESTAD MARTIN ET AL., "The pseudomonas fluorescens algG protein, but not its mannuronan C-5-epimerase activity, is needed for alginate polymer formation," <i>JOURNAL OF BACTERIOLOGY</i> , vol. 185, no. 12, 2003, pages 3515 - 3523.	
.	AF	GOVAN J.R.W ET AL., "Isolation of alginate-producing mutants of pseudomonas fluorescens, pseudomonas putida and pseudomonas mendocina," <i>JOURNAL OF GENERAL MICROBIOLOGY</i> , vol. 125, 1981, pages 217 - 220.	
.	AG	MOREA ANTONELLA ET AL.: "Characterization of algG encoding C5-epimerase in the alginate biosynthetic gene cluster of pseudomonas fluorescens," <i>GENE</i> , vol. 278, 2001, pages 107 - 114.	
.	AH	PRINGLE J. HOWARD ET AL., "Selection of attachment mutants during the continuous culture of pseudomonas fluorescens and relationship between attachment ability and surface composition," <i>JOURNAL OF GENERAL MICROBIOLOGY</i> , vol. 129, 1983, pages 2557 - 2569.	
.	AI	SCHWEIZER HERBERT P. ET AL., "Cloning and nucleotide sequence of the glpD gene encoding sn-glycerol-3-phosphate dehydrogenase of pseudomonas aeruginosa," <i>JOURNAL OF BACTERIOLOGY</i> , vol. 176, no. 8, 1994, pages 2184 - 2193.	
.	AJ	DATABASE BIOSIS AOnlineÜ FAKHR M.K. ET AL., "Mutagenesis of a plasmid that confers constitutive alginate production to pseudomonas syringae," XP002971958 Database accession no. (PREV200000305692) & PHYTOPATHOLOGY vol. 90, no. 6, SUPPL., June 2000, page 23.	
.	AK	DATABASE BIOSIS AOnlineÜ HERRERO MARTA ET AL.: "A T7 RNA polymerase-based system for the construction of pseudomonas strains with phenotypes dependent on TOL-meta pathway effectors," XP002971959 Database accession no. (PREV199497073630) & GENE (AMSTERDAM) vol. 134, no. 1, 1993, pages 103 - 106.	
.	AL	DATABASE BIOSIS AOnlineÜ DOUTHIT S.A. ET AL., "Identification of amino acids motifs important for epimerase activity of the pseudomonas aeruginosa alginate modifying enzyme, AlgG," XP002971960 Database accession no. (PREV199598304642) & ABSTRACTS OF THE GENERAL MEETING OF THE AMERICAN SOCIETY FOR MICROBIOLOGY vol. 101, 2001, page 278.	
.	AM	DATABASE BIOSIS AOnlineÜ FRANKLIN M.J. ET AL., "IPTG-controlled expression of the alginate biosynthetic gene cluster in pseudomonas aeruginosa and requirement of AlgT in high-level alginate production," XP002971961 Database accession no. (PREV199598304642) & ABSTRACTS OF THE GENERAL MEETING OF THE AMERICAN SOCIETY FOR MICROBIOLOGY vol. 95, 1995, page 178.	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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